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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

**Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231**

Application Number	10/035,158
Filing Date	January 4, 2002
First Named Inventor	Jan Weber
Art Unit	3738
Examiner Name	Alvin J. Stewart
Attorney Docket Number	12013/59401

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.	Miscellaneous Submission required under 37 C.F.R. 1.114
a.	<input type="checkbox"/> Previously submitted
i.	<input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii.	<input type="checkbox"/> Other
b.	Enclosed
i.	<input checked="" type="checkbox"/> Amendment/Reply
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/> Other
2.	
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
b.	<input type="checkbox"/> Other
3.	Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
a.	<input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0600
i.	<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. 1.17(e)
ii.	<input type="checkbox"/> Extension of time fee (37 C.F.R. 1.136 and 1.17)
iii.	<input type="checkbox"/> Other
b.	<input type="checkbox"/> Check in the amount of \$ _____ enclosed
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Fred T. Grasso	Registration No. (Attorney/Agent)	43,644
Signature		Date	August 9, 2004

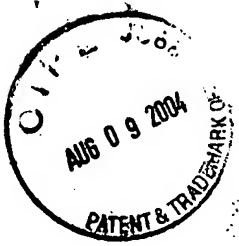
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:			
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10/035,158

PATENT

Docket No.: 12013/59401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Jan WEBER et al.
Serial No. : 10/035,158
Filed : January 4, 2002
For : NON-COMPLIANT BALLOON WITH COMPLIANT TOP-LAYER TO PROTECT COATED STENTS DURING EXPANSION
Group Art Unit : 3738
Examiner : Alvin J. STEWART

M.S. RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

This paper is submitted in response to the March 10, 2004, final Office action and the July 21, 2004, Advisory Action. As a response to the final Office action was filed on May 10, 2004, and this paper is filed within a month of the mailing of the Advisory Action, no extension of time fee is believed to be due.

The Commissioner is hereby authorized to charge Kenyon & Kenyon Deposit Account No. 11-0600 for the RCE fee as well as any other fee that may apply.